



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10
1200 Sixth Avenue
Seattle, WA 98101

February 13, 2008

Reply To
Attn Of: ETPA-085

MEMORANDUM

SUBJECT: Treatment as a State for the Swinomish Tribal Community

FROM: Diana Boquist

TO: Rich McAllister and Sally Brough

This memo provides my evaluation of the capability of the Swinomish Tribal Community to implement a Water Quality Standards Program under Section 303 (c) codified as 33 U.S.C. Section 1313 (c) and Section 401, codified as 33 U.S.C. Section 1341 of the Clean Water Act based on my experience to date with the Tribe. I have been the project officer for the Swinomish's Performance Partnership Grant which includes the CWA 106 & CWA 319 programs. The purpose of this evaluation of the Tribes' capability is to support the review of the Tribes' application for Treatment as a State.

The Swinomish has substantial authority to regulate Water Quality as evidence by and through a variety of codes and ordinances, collectively encompassing land use zoning on all the Reservations lands, environmental assessments and performance standards for land use impacts, adoption of Air Quality standards for the Reservation airshed, management of the Reservation ground water resources and issuing numerous permits

The Swinomish has a long and distinguished record of administering federal and tribal programs and obtaining federal grants to protect and improve the health and welfare of tribal members and the environment of the Reservation, extensive experience in administering and managing environmental programs. The Tribe's application provides a good summary of their staff and their qualifications.

Based on my review of the Application and my direct knowledge of the Tribe and its staff, I believe the Swinomish Community is quite capable of implementing the Water Quality Standards Program.



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